

DRAFT  
MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N.C.

REGULAR MEETING:

21 MARCH 2006

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Michael Barber, T. Dianne Bellamy-Small, Sandra G. Carmany, Sandra Anderson Groat, Yvonne J. Johnson, Thomas M. Phillips and Goldie Wells. Absent: Florence F. Gatten. Also present were Mitchell Johnson, City Manager; Linda Miles, City Attorney; and Susan E. Crofts, Deputy City Clerk.

The meeting was opened with a moment of silence and the pledge of allegiance to the flag by Fred Gross, Director of the Greensboro Historical Museum. Mr. Gross provided a brief update on programs at the Museum.

.....

The City Manager recognized Rosa McDougal, employee with the Finance Department, who served as courier for the meeting.

.....

The Mayor outlined the procedures for conduct of the meeting and invited citizens to address Council as speakers from the floor.

.....

Michael Joseph Roberto, residing at 317 South Chapman Street, spoke on behalf of Specialized Community Area Transportation (SCAT) Service users. Mr. Roberto spoke to the potential impact of increased fuel costs on pending budget allocations for SCAT services, shared his opinion that increases in fares or changes in cancellation policies could create difficulties for SCAT service users, and requested Council to carefully consider SCAT users in their budget decisions for the coming year.

Kevin Green, residing at 608 Meyers Lane and Chair of the Coliseum War Memorial Commission, commended Coliseum Director Matt Brown and Coliseum staff for their outstanding work on the Atlantic Coast Conference (ACC) and North Carolina Athletic Association (NCAA) Basketball Tournaments recently concluded at the Coliseum. He recognized Harrison Turner, Chair of the Tournament Host Committee, for his work coordinating the huge volunteer effort involved in these tournaments. Mr. Green spoke to the substantial economic benefits to the community resulting from additional monies spent in Greensboro during the three-week tournament.

The Mayor noted that many visitors had expressed appreciation for the recent implementation of the non-smoking policy at the Coliseum.

Richard Beard, residing at 2908 Round Hill Road, spoke to the benefits of national and world wide exposure to Greensboro through televising of the ACC and NCAA and the high level of success of these events. Mr. Beard commended Mr. Brown for his leadership and attention to detail and recognized the excellent work of the Coliseum staff and community.

Kato Smith, residing at 3306 Winchester Drive, expressed concern with respect to alleged violations of health regulations and City business regulations pertaining to unlicensed vendors selling food at construction sites. After the City Manager advised that the Guilford County Health Department also needed this information from

Mr. Kato, Assistant City Manager John "Ben" Brown received additional information from Mr. Kato for follow up by City staff.

.....

The Mayor introduced a resolution honoring the memory of the late Keith Shawn Smith.

After Councilmember Bellamy-Small expressed condolences to the Smith family on behalf of Council and read the resolution into the record, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Perkins, Phillips and Wells. Noes: None.

45-06 RESOLUTION HONORING THE MEMORY OF THE LATE KEITH SHAWN SMITH

WHEREAS, on February 24, 2006, this community lost one of its future community leaders with the untimely death of Keith Shawn Smith;

WHEREAS, a native of Newark, New Jersey, Keith and his family moved to Greensboro during his kindergarten years and he attended Lindley Elementary, Peck Elementary, and Jackson Middle School before graduating with honors from Ben L. Smith High School in 2004;

WHEREAS, Keith was musically talented and was a member of the Pep and Concert Bands, as well as the Ben L. Smith "Golden Eagles" Marching Band where he was a section leader and, in his senior year, held the distinguished position of Drum Major;

WHEREAS, while at Smith, he was a member of the National Honor Society, National Beta Club, the Principal's Advisory Council, and a Junior Marshall as well as being affiliated with the GYC Carnival, Special Shopping Day Campus Y, Hunger Launch and H.O.P.E., Walk for Kinds, National Youth Services Day and Hold 'Em for Hunger;

WHEREAS, Keith was as sophomore at the University of North Carolina at Chapel Hill majoring in Business and Economics;

WHEREAS, he attended the New Zion Missionary Baptist Church and chose to lead by example believing that faith without works is dead;

WHEREAS, the City Council and the people of Greensboro are deeply saddened by the untimely death of Keith Shawn Smith and wish to express their great sense of loss and respect.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Keith Shawn Smith.
2. That a copy of this resolution shall be delivered to the family as a symbol of the gratitude of the people of Greensboro.

(Signed) T. Dianne Bellamy-Small

Councilmember Bellamy-Small presented copies of the resolution to members of the family who were present in the Chamber.

.....

Mayor Holliday stated this was the time and place set for a public hearing to receive citizen input with

regard to a 2006 Bond Referendum.

Dennis Barry, Chair of the Greensboro Partnership Board of Directors with offices located at 342 North Elm Street, stated the Partnership was comprised through the merger of the agencies formerly operated as the Greensboro Chamber of Commerce, Greensboro Economic Development Partnership, and Action Greensboro. He stated the Partnership's mission was to develop a vibrant community through expansion of business and enhancement of quality of life and shared reasons he believed the City of Greensboro was unable to competitively recruit new businesses. Speaking on behalf of the Partnership's Board of Directors, Mr. Barry urged Council to include in the 2006 Bond Referendum a \$25 million economic development fund to use in concert with private developers in a public-private partnership for multi-jurisdictional projects. He stated the funds would be used to acquire sites, finance infrastructure improvements, and implement related transportation corridors.

Pat Danahy, residing at 207 Country Club Drive, spoke to the process used by the Greensboro Partnership to recruit new businesses. He outlined criteria used by businesses for locating expansion sites, spoke to the limitations of available sites in Greensboro, and noted examples of economic expansion cases in which these limitations had purportedly resulted in alternative site selections. Mr. Danahy emphasized the significance of the work and goals of the Greensboro Partnership.

Steve Bowden, residing at 3504 Glen Forest Court, stated that the Greensboro Partnership requested funding for the International Civil Rights Museum in Greensboro on the proposed 2006 bond referendum. He spoke to the cultural and historical value of the museum, its positive impact on downtown revitalization, and to his personal knowledge of the agency's record on fiscal management. Mr. Bowden advised that future support from other funding sources would be linked to local support.

Carol Bruce, residing at 2007 Tiffany Place, offered additional comments with respect to the value of the International Civil Rights Museum, the need to fund building renovations, and the anticipated benefits to the community from developing the museum through a private and public partnership.

Harrison Turner, residing at 19 Elmridge Lane, expressed the Greensboro Partnership's support for arts and entertainment. He encouraged consideration of a bond item for \$35 million in upgrades to bring the War Memorial Auditorium facility standards to state of the art. Mr. Turner cited the need to address outdated and inadequate facilities for disabled patrons, seating and sight line design provisions, parking and elevators.

Zack Methany, residing at 205 West Newland Avenue, expressed support for development of a greenway loop around the central city. He spoke to the economic and health benefits the greenway would offer to the downtown business district and City residents and the involvement of the Moses Cone Community Health Foundation and Action Greensboro in preliminary drawings for the proposed project; he requested Council to support funding the greenway through the 2006 bond referendum.

Jim Wells, residing at 3 Kinbuck Place, spoke to his personal experiences as a disabled patron of events at the War Memorial Auditorium. He cited examples of building conditions that provided limited access that he believed did not meet Americans with Disabilities Act (ADA) and North Carolina State Building Code legal requirements. He encouraged Council to support renovations to this facility in the 2006 bond referendum.

In response to concerns expressed by Mr. Wells, the Mayor requested that the City Attorney report back to Council on legal requirements for the facility and advise on actions that might be necessary to achieve compliance.

Hoyt Phillips, residing at 1616 Nottingham Road, offered additional comments with respect to the cultural and economic benefits of the War Memorial Auditorium and expressed his support for placing the funding of its renovation on the 2006 bond referendum.

Carolyn Allen, residing at 2611 David Caldwell Drive, spoke on behalf of the Greensboro YWCA to request support for the 2006 bonds referendum to include funding construction of an Olympic quality swimming pool to serve as a competition center for Olympic aquatic programs in Greensboro. She cited a lack of Olympic

swimming facilities in Greensboro, spoke to potential economic benefits that could be gained by hosting regional tournaments, and spoke to the anticipated capital investments required for such a facility's construction.

Patricia Trice, residing at 1005 South Benbow Road, spoke on behalf of the Library Board of Trustees. She distributed information which she read to Council to report on the status of six library projects, four of which remained incomplete, and her interest in gaining Council's support of these construction and renovation projects with the 2006 bond referendum. (A copy of Ms. Trice's statement provided to Council is filed in Exhibit Drawer P, Exhibit # 21 and is hereby referred to and made a part of the minutes.)

Barry Strohlson, residing at 5416 Roughlea Drive, encouraged Council to consider a Lake Jeanette Bass Chapel library branch on the 2006 Bond referendum. He noted the northeast library branch had closed in 2002, spoke to increased area population, stated the land had already been acquired from a neighborhood fire station property, advised that seniors and families needed access to a library, and shared his opinion with respect to benefits of the library to the community.

Willie Mae Jones, residing at 1505 Woodbriar Avenue, requested Council to consider the 2006 bond referendum to expand library service to Bass Chapel Lake Jeanette Branch Library. She spoke to history of the community, the impact of its high level of growth on the need for a library, and the need for resources for academic work for students. Ms. Jones noted the importance of library programs to seniors and older adults, and thanked Council for their consideration of this 2006 bond referendum proposal.

Jim Kee, residing at 4411 Belfield Drive, stated the McGirt- Horton Branch served as the hub of the community. He noted high levels of participation in programs including daycare, preschool story times, special events, and summer reading and advised that the current facility was overcrowded. Mr. Kee spoke to the benefits a new facility would provide to various groups and to the large number of area residents who used this library.

Tiffany Hairston, residing at 2008 Bywood Road, spoke to her use of the McGirt-Horton Branch Library through the course of her studies at Dudley High School and North Carolina A&T State University and spoke to her support for this Branch. She noted her activities in community volunteer programs conducted at this library branch and spoke to improvements that could be made in the facility to better serve other teens.

Robert Skolnik, residing at 11 Park Village Court, spoke to his involvement and experience at the Benjamin Branch Library. He requested bond funds be used to renovate to expand this branch due to the heavy use of this branch.

Cameron Cooke, residing at 100 Wedgedale Avenue, encouraged Council to pursue options to establish a community library facility at the Reedy Fork development. He spoke to the value of combining an elementary school, library and recreation area on this property, noted that the land was already paid for, stated that infrastructure was available, and encouraged Council to consider the funding the project through the 2006 bond referendum.

Marilyn Miller, President of Friends of the Library and a Library Trustee, residing at 4103 West Friendly Avenue, requested Library supporters who were present in the Chamber to stand to show their support for libraries. The majority of citizens stood. She presented information on the upcoming Poetry Greensboro kick-off and invited residents and Council to participate in these events.

Lea Williams, residing at 34 Park Village Lane #55, spoke on behalf of the trustees of the Greensboro Historical Museum and residents who benefit from the Museum's programs. She requested Council to consider funding exhibit construction and infrastructure improvements with potential 2006 bond funds, stated that private funds were being sought to enhance programs and exhibit content, and outlined potential improvements for exhibits. Ms. Williams voiced her opinions with respect to the significance of the upcoming bicentennial celebration in 2008 and the significance of funding the historical museum to preserve the City's future.

Stacey Papier, 6109 Stockbridge Drive, spoke to support for the Historical Museum's request for funding through the 2006 Bond Referendum. She shared her perspective as a teacher on the values of the museum's

program and facilities and the benefits of proposed enhancements.

Also speaking in support of the placement of Greensboro Historical Museum funding on the 2006 bond referendum was Janice Jackson, residing at 2420 Bywood Road. She spoke to her work as Affiliate Program Coordinator for the Black Child Development organization and partnership efforts with this organization and the museum. Ms. Jackson discussed the value of various educational opportunities offered through the museum and the importance of the museum in the community.

Vandy Chhum, residing at 3914 Galway Drive, requested Council to consider using 2006 bond funds for the Greensboro Historical Museum and shared her personal experience of involvement with the Exhibit, *Cambodia to North Carolina* in terms of the process of creating this exhibit and its value to the community.

Kevin Hanner, residing at 2217 Running Brook Drive, spoke to his life long residency in Greensboro and reflected on the changes in Greensboro over time. He expressed appreciation for the Historical Museum and noted its value to residents and out of town tourists. Mr. Hanner noted that admission to the Museum was free and offered a unique downtown attraction. He requested Council consider Historical Museum funding through the 2006 bond referendum.

David Wharton, residing at 667 Percy Street, stated he represented the Charles B. Aycock Neighborhood Association and spoke to the neighborhood's interest in renovating the War Memorial Stadium, the Stadium's current uses, and potential future uses. He stated he would provide Council with information on potential plans for the stadium and surrounding area in the Summit Avenue Corridor Study for their future consideration and requested placement of improvements to the Stadium and neighborhood on the 2006 bond referendum.

Betsey Baun, residing at 114 Cypress Street, discussed the pending proposal for renovation of War Memorial Stadium, which she described as a national treasure. She elaborated on potential renovation plans for the stadium, described potential cultural and recreational uses for the surrounding area, and presented related information to Council for their consideration in funding the stadium's renovation through the 2006 bond referendum.

Nancy Cavanaugh, residing at 4505 Summit Avenue and Executive Director of Cove Creek Gardens, spoke to the Gardens' role in promoting conservation of water and growth of natural plants. She spoke to the City's acquisition of the park and the partnership between Cove Creek Gardens and City staff members to bring the park to fruition and thanked members of Council and staff for their efforts and support. She requested Council to support the park's development through funding with the 2006 bond referendum.

John Rand, residing at 407 Crossvine Lane, spoke on behalf of the Greensboro Hockey Association to request consideration on the 2006 Bond referendum to accommodate the needs of this growing sport. He detailed history of and present activities in roller hockey in Greensboro, shared his opinions with respect to growth and interest in this sport, noted the current lack of adequate facilities for increasing participation in roller hockey, and spoke to the potential economic value of conducting roller hockey tournaments in Greensboro. Mr. Rand noted his groups' interest in establishing a public – private partnership with the City, shared details of what that could entail, and encouraged City support this effort through the 2006 bond referendum.

Ted Oliver, residing at 4206 Tallwood Drive and President of the Greensboro Swim Association, spoke to the Association's membership and their request for bond funding for construction of a 50 meter indoor pool. He provided details with respect to limited existing facilities in Greensboro, the current need to travel to other communities for competition events, the correlation between swimmers and good students, and his group's support for the YWCA's goals of building the pool.

Bryan Clark, residing at 4709 Hollister Drive, and Chair of the Greensboro Youth Council (GYC), spoke to the Council's history, goals, programs, and benefits to Greensboro youth,; he requested development of a Teen Center be considered in the 2006 bond referendum.

Avshe Patat, General Affairs Director for the GYC (no address provided), elaborated on programs of the

GYC that benefit teens to support the basis for consideration of a Teen Center in the 2006 bond referendum.

Brittany Riddick, Public Relations Director for GYC, stated the programs lacked a central location and offered opinions with respect to the benefits of establishing a central location. She stated the current location was not accessible in terms of Americans with Disability standards and could not serve all youth, and urged Council to consider funding the Teen Center in the 2006 bond referendum.

Benjamin Brand, Sponsorship Director for GYC, spoke to the experience and skills gained by youths through GYC programs and shared his opinion with respect to the value of constructing a building to accommodate GYC programs and activities. He noted leadership development was a main goal of the organization.

.....

Mayor Holliday declared a recess at 7: 28 p.m.

The meeting reconvened at 7:48 p.m. with all members of Council present, except Councilmember Gatten, who was excused earlier in the meeting.

.....

Emily Leik, residing at 105 Mary Wil Court, spoke on behalf the Greensboro Swimmers Association's (GSA) request that Council consider funding an Olympic sized pool facility. She noted the time and money spent by members attending meets in other towns and cities due to the lack of a pool in Greensboro suitable for competition, noted Greensboro's central location, and spoke to the benefits of swimming for youth.

Keely MacDonald, residing at 2404 Brandt Trace Farm Road, spoke on behalf of members of the GSA and her experiences as a parent of a teenage swimmer. She spoke to potential benefits of swimming and the promotion of sports in Greensboro. After Ms. Keely requested those who were present in the Chamber and in favor of the proposed swim pool bond referendum to stand, a large majority of citizens who were present stood in support.

Eugene Godsoe, residing at 4327 Brookhaven Drive, spoke to his recent national championship swimming award, stated he planned to participate in Olympic trials in 2008, and spoke to educational opportunities he would receive through his accomplishments in swimming. He shared his opinion with respect to the benefits the proposed new pool would offer to citizens of all ages and requested Council to consider this request in the 2006 bond referendum.

Russell Barrett, residing at 610 Glover Street, stated he represented the Arlington Park neighborhood. Mr. Barrett spoke to the history of several neighborhood improvement projects, shared details regarding projects' status, requested funding through the 2006 bond referendum to improve the stream in the neighborhood park, and requested completion of sidewalks planned in the neighborhood.

Barbara Hands, residing at 3303 Twin Brooks Drive, spoke to traffic and pedestrian safety concerns in the area of her neighborhood. After Ms. Hands requested Council consider funding sidewalks through the 2006 bond referendum, discussion was held with respect to funding options.

Following brief discussion on the status of sidewalk projects in various locations, the Mayor requested that an update on sidewalk projects be provided to Council at a future briefing.

Mary Elizabeth Black, residing at 409 Burton Street and President of the Arlington Park Neighborhood Association, invited Council to see the Arlington Park stream to see its fish, bird sanctuary and wild flowers. She presented street addresses for blighted houses in the neighborhood to Engineering and Inspections staff for follow up.

Luther Falls, residing at 303 P Avalon Road, spoke to his support for several potential 2006 bond referendum possibilities. After he cited potential benefits of the International Civil Rights Museum in terms of education and economic improvement, the educational benefits of the Vance Chavis Library Branch, and the value of the War Memorial Auditorium, Mr. Falls urged Council to consider these projects in the 2006 referendum.

Rose Marie Fleshman, residing at 7 Town Ridge Court, spoke to her interest in adding a library in the Lake Jeanette area and requested Council to allocate a portion of funds for this in the 2006 bond referendum.

Dorothy Brown, residing at 603 Julian Street and President of the Ole Asheboro Neighborhood Association, spoke to signs of revitalization in this neighborhood. She requested Council to complete implementation of the Southside Neighborhood Plan through the 2006 bond referendum and shared personal opinions with respect to potential sources for funding home renovations in the area.

Council discussed the possibility of scheduling a session for discussion of proposed 2006 bond referendum items. The City Manager suggested a general time frame that would suit the process well. No action was taken.

.....

Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits located on Hines Chapel and McKnight Mill Roads- 49.579 acres, and so that these matters could be discussed together, an ordinance amending Chapter 30, Zoning, Planning and Development, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the *Connections 2025 Comprehensive Plan* Growth Strategy Map (Figure 4-3) from Tier Two (Intermediate Growth Area) to Tier One (Current Growth Tier) and the Generalized Future Land Use Map (Figure 4-2) to establish the Moderate Density Land Use Classification for a portion of the property located north of Hines Chapel Road and east of McKnight Mill Road and an ordinance establishing original zoning classification from County Zoning Agricultural RS-30 Residential Single Family, and General Business to City Zoning Conditional District- RS-5; for property located north of Hines Chapel Road and east of McKnight Mill Road.

Mr. Hails presented a map and photos to describe the subject property and surrounding area. He stated the Zoning Commission had voted in favor of the request and read the conditions attached to the proposal into the record.

Mayor Holliday asked if anyone present wished to be heard. The following speakers spoke in favor of the request:

Henry Isaacson, attorney with offices located at 101 West Friendly Avenue, stated he represented Carroll Company, and its subsidiary, Carrolland Corporation, which was also the property owner and developer. Mr. Isaacson distributed illustrative information to Council which he reviewed in detail.

Mr. Isaacson cited the Planning Department staff report and noted that the proposed development satisfied a number of Comprehensive Plan policy criteria including growth at fringe, meeting the need of present and future citizens, creating affordable housing, and promoting compact development and mixed income neighborhoods. He shared his opinion that the proposed area of development would be best developed comprehensively versus in pieces and requested Council to approve the request.

Following brief discussion, Al Leonard, also representing the property owner, and Mr. Isaacson spoke to concerns that had been raised by neighborhood residents and addressed satisfactorily earlier in the process.

Mayor Holliday asked if anyone present wished to speak in opposition to these matters.

There being no one present who wished to speak in opposition, Councilmember Johnson moved that the public hearing be closed. The motion was seconded by Councilmember Carmany and unanimously adopted by

voice vote of Council.

Mr. Hails noted that the Connections 2025 Comprehensive Plan Monitoring Committee had considered the requested zoning modifications minor based on location and density, stated that the scattered differing multifamily and single family blended well in moderate residential zoning, advised that the Comprehensive Plan supported mixed income housing and recommended approval of the proposed zoning and related requests.

During discussion, Councilmember Phillips expressed concerns about developing large areas with RS-5 housing development density in northeastern Greensboro. He suggested Council consider adding additional requirements to this development classification to assure a positive aesthetic outcome.

Discussion was held with respect to the impact of limited police and fire capacity as criteria for establishing the level of support staff recommends in proposed annexations, the City's confidence in its ability to provide fire service to the proposed annexation in this case, and future options for providing fire service in this area.

Councilmember Barber moved adoption of the ordinance annexing territory to the corporate limits located on Hines Chapel and McKnight Mill Roads- 49.579 acres. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Groat, Holliday, Johnson, Phillips, and Wells. Noes: None.

**06-48 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON HINES CHAPEL ROAD AND McKNIGHT MILL ROAD – 49.579 ACRES)**

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pipe at the southwest corner of David E. Dick as recorded in Deed Book 1995, Page 126 in the Office of the Register of Deeds of Guilford County, NC, said iron being the southeast corner of within described tract, said iron also being a point in the northern right of way line of Hines Chapel Road (SR # 2732); thence with said right of way line North 85°18'53" West 393.70 feet to a new iron pipe; thence leaving the said right of way North 13°21'20" East 319.45 feet to a new iron pipe; thence North 85°38'17" West 401.68 feet to a new iron pipe; thence South 00°55'25" West 35.00 feet to an existing iron pipe, said iron being the northeast corner of Rodney L. and Judy C. Ramey as recorded in Deed Book 2999, Page 285 in said registry; thence with the northern line of said Ramey property North 85°43'53" West 179.92 feet to an existing iron pipe, said iron being the northeast corner of Ed C. and Selma B. Ramey as recorded in Deed Book 1555, Page 327 is said registry; thence with the northern line of said Ramey property North 84°35'43" West 65.82 feet to an existing iron pipe; thence continuing with said northern line of said Ramey property North 84°35'50" West 138.37 feet to an existing nail found, said nail being the northeast corner of Kenneth D. Henderson as recorded in Deed Book 2152, Page 59 is said registry; thence with the northern line of said Henderson property North 86°45'15" West 311.48 feet to an existing iron pipe, said iron being the northeast corner of Frank A. and Eleanor M. Kelty as recorded in Deed Book 4425, Page 2064 in said registry, said iron being the southwest corner of within described tract; said iron also being a corner in the eastern line of Plat Book 8, Page 82 is said registry; thence with the eastern line of said plat North 06°01'35" East 370.46 feet to an existing flat iron found, said iron being the northeast corner of Robert S. Sells as recorded in Deed Book 3652, Page 800 in said registry; thence continuing with eastern line of said plat and said Sells property North 05°13'43" East 91.86 feet to an existing iron pipe, said iron being the southeast corner of Gerardo Sosa as recorded in Deed Book 5867, Page 1146 in said registry; thence continuing with eastern line of said plat North 06°01'06" East 211.75 feet to a new iron pipe, said iron being the northeast corner of said plat; thence North 54°58'54" West 62.94 feet to a new iron pipe, said iron being a point in the eastern right of way line of McKnight Mill Road (SR #2835); thence with the said right of way North 28°47'38" East 78.34 feet to a new iron pipe, said iron being the southwest corner of Jimmy L. and Polly Ann Crews as recorded in Deed Book 5895, Page 1682 in said registry; thence with the southern line of said Crews property South 58°58'45" East 197.33 feet to an existing iron pipe; said iron being the southeast corner of said Crews property; thence with the eastern line of said Crews property and the eastern line of Plat Book 80, Page 71 as recorded in said registry North 30°50'30" East 410.87 feet to an existing iron pipe, said iron being a corner in the



southern line of Jerome and Suzanne Kiesel as recorded in Deed Book 5826, Page 2621 in said registry; thence with the southern line of said Kiesel property South 83°59'58" East 460.26 feet to an existing iron pipe, said iron being the southeast corner of said Kiesel property; thence with the eastern line of said Kiesel property North 30°31'36" East 508.28 feet to an existing iron pipe, said iron being the northwest corner of within described tract, said iron also being a corner in the southern line of Sandra Y. Lewis as recorded in Deed Book 3940, Page 548 in said registry; thence with the southern line of said Lewis property South 86°21' 27" East 239.40 feet to an existing iron pipe, said iron being the southeast corner of said Lewis property; thence South 85°49'00" East 475.57 feet to an existing iron pipe, said iron being the northeast corner of within described tract, said iron also being a corner in the southern line of Charles Richard Pantan as recorded in Deed 5347, Page 549 in said registry, said iron also being the northwest corner of David and Ellen Dick as recorded in Deed 3650, Page 207 in said registry; thence with the western line of said Dick property South 06°51'36" West 1170.32 feet to an existing iron pipe, thence continuing with western line of said Dick property South 06°56'16" West 233.25 feet to an existing iron pipe; thence continuing with western line of said Dick property South 06°37'19" West 87.59 feet to an existing iron pipe, said iron being the northeast corner of David E. Dick as recorded in Deed Book 1995, Page 126 in said registry; thence with the northern line of said Dick property North 85°54'13" West 238.52 feet to an existing iron pipe; thence with the eastern line of said Dick property South 06°53'21" West 293.58 feet to the place and point of BEGINNING and containing 49.579 acres more or less and being the same property as tract 2 of a survey entitled "Boundary Survey of Corporation and James Roland Jones Property" done by Koontz-Bryant, PC dated November 14, 2005 and revised on January 5, 2006.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after May 31, 2006, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2006.

(Signed) Michael Barber

.....

Councilmember Barber thereupon moved adoption of the ordinance amending Chapter 30, Zoning, Planning and Development, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the *Connections 2025 Comprehensive Plan* Growth Strategy Map (Figure 4-3) from Tier Two (Intermediate Growth Area) to Tier One (Current Growth Tier) and the Generalized Future Land Use Map (Figure 4-2) to establish the Moderate Density Land Use Classification for a portion of the property located north of Hines Chapel Road and east of McKnight Mill Road. The motion was seconded by Councilmember Wells; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Groat, Holliday, Johnson, Phillips, and Wells. Noes: None.

06-49 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GROWTH STRATEGY MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Growth Strategy Map (Figure 4-3) and a Generalized Future Land Use Map (Figure 4-2); and

WHEREAS, an amendment to that as shown on the attached map to change from Tier Two (Intermediate Growth Area) to Tier One (Current Growth Area) and an amendment to the Generalized Future Land Use Map to establish the Moderate Residential land use classification for the property located north of Hines Chapel Road and east of McKnight Mill Road.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Growth Strategy Map (Figure 4-3) and the Generalized Future Land Use Map (Figure 4-2) is amended as follows:

Section 1. The Growth Strategy Map (Figure 4-3) and the Generalized Future Land Use Map (Figure 4-2) is hereby amended as shown on the attached map.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective on March 21, 2006.

(Signed) Michael Barber

.....

Councilmember Johnson moved adoption of the ordinance establishing original zoning classification from County Zoning Agricultural RS-30 Residential Single Family, and General Business to City Zoning Conditional District- RS-5; for property located north of Hines Chapel Road and east of McKnight Mill Road. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

06-50 AMENDING OFFICIAL ZONING MAP

NORTH OF HINES CHAPEL ROAD AND EAST OF McKNIGHT MILL ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural, RS-30 Residential Single Family, and General Business to City Zoning Conditional District – RS-5 Residential Single Family (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at an existing iron pipe at the southwest corner of David E. Dick as recorded in Deed Book 1995, Page 126 in the Office of the Register of Deeds of Guilford County, NC, said iron being the southeast corner of within described tract, said iron also being a point in the northern right of way line of Hines Chapel Road (SR # 2732); thence with said right of way line North 85°18'53" West 393.70 feet to a new iron pipe; thence leaving the said right of way North 13°21'20" East 319.45 feet to a new iron pipe; thence North 85°38'17" West 401.68 feet to a new iron pipe; thence South 00°55'25" West 35.00 feet to an existing iron pipe, said iron being the northeast corner of Rodney L. and Judy C. Ramey as recorded in Deed Book 2999, Page 285 in said registry; thence with

the northern line of said Ramey property North 85°43'53" West 179.92 feet to an existing iron pipe, said iron being the northeast corner of Ed C. and Selma B. Ramey as recorded in Deed Book 1555, Page 327 is said registry; thence with the northern line of said Ramey property North 84°35'43" West 65.82 feet to an existing iron pipe; thence continuing with said northern line of said Ramey property North 84°35'50" West 138.37 feet to an existing nail found, said nail being the northeast corner of Kenneth D. Henderson as recorded in Deed Book 2152, Page 59 is said registry; thence with the northern line of said Henderson property North 86°45'15" West 311.48 feet to an existing iron pipe, said iron being the northeast corner of Frank A. and Eleanor M. Kelty as recorded in Deed Book 4425, Page 2064 in said registry, said iron being the southwest corner of within described tract; said iron also being a corner in the eastern line of Plat Book 8, Page 82 is said registry; thence with the eastern line of said plat North 06°01'35" East 370.46 feet to an existing flat iron found, said iron being the northeast corner of Robert S. Sells as recorded in Deed Book 3652, Page 800 in said registry; thence continuing with eastern line of said plat and said Sells property North 05°13'43" East 91.86 feet to an existing iron pipe, said iron being the southeast corner of Gerardo Sosa as recorded in Deed Book 5867, Page 1146 in said registry; thence continuing with eastern line of said plat North 06°01'06" East 211.75 feet to a new iron pipe, said iron being the northeast corner of said plat; thence North 54°58'54" West 62.94 feet to a new iron pipe, said iron being a point in the eastern right of way line of McKnight Mill Road (SR #2835); thence with the said right of way North 28°47'38" East 78.34 feet to a new iron pipe, said iron being the southwest corner of Jimmy L. and Polly Ann Crews as recorded in Deed Book 5895, Page 1682 in said registry; thence with the southern line of said Crews property South 58°58'45" East 197.33 feet to an existing iron pipe; said iron being the southeast corner of said Crews property; thence with the eastern line of said Crews property and the eastern line of Plat Book 80, Page 71 as recorded in said registry North 30°50'30" East 410.87 feet to an existing iron pipe, said iron being a corner in the southern line of Jerome and Suzanne Kiesel as recorded in Deed Book 5826, Page 2621 in said registry; thence with the southern line of said Kiesel property South 83°59'58" East 460.26 feet to an existing iron pipe, said iron being the southeast corner of said Kiesel property; thence with the eastern line of said Kiesel property North 30°31'36" East 508.28 feet to an existing iron pipe, said iron being the northwest corner of within described tract, said iron also being a corner in the southern line of Sandra Y. Lewis as recorded in Deed Book 3940, Page 548 in said registry; thence with the southern line of said Lewis property South 86°21' 27" East 239.40 feet to an existing iron pipe, said iron being the southeast corner of said Lewis property; thence South 85°49'00" East 475.57 feet to an existing iron pipe, said iron being the northeast corner of within described tract, said iron also being a corner in the southern line of Charles Richard Panton as recorded in Deed 5347, Page 549 in said registry, said iron also being the northwest corner of David and Ellen Dick as recorded in Deed 3650, Page 2027 in said registry; thence with the western line of said Dick property South 06°51'36" West 1170.32 feet to an existing iron pipe, thence continuing with western line of said Dick property South 06°56'16" West 233.25 feet to an existing iron pipe; thence continuing with western line of said Dick property South 06°37'19" West 87.59 feet to an existing iron pipe, said iron being the northeast corner of David E. Dick as recorded in Deed Book 1995, Page 126 in said registry; thence with the northern line of said Dick property North 85°54'13" West 238.52 feet to an existing iron pipe; thence with the eastern line of said Dick property South 06°53'21" West 293.58 feet to the place and point of BEGINNING and containing 49.579 acres more or less and being the same property as tract 2 of a survey entitled "Boundary Survey of Corporation and James Roland Jones Property" done by Koontz-Bryant, PC dated November 14, 2005 and revised on January 5, 2006.

Section 2. That the original zoning to Conditional District – RS-5 Residential Single Family is hereby authorized subject to the following use limitations and conditions:

- 1) Uses shall be limited to single family residential dwellings.
- 2) There shall be a maximum of 260 single family residential dwellings on the subject property.
- 3) There shall be one access point to the subject property on McKnight Mill Road and one access point to the subject property on Hines Chapel Road.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be

subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Yvonne Johnson

.....

Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional District—Planned Unit Development for property located on the north side of West Cornwallis Drive between Elmwood Drive and Wrenn Street.

Mr. Hails presented a map and photos of the subject property and surrounding area, read the conditions attached to the request into the record, and stated the Zoning Commission had recommended approval of the ordinance.

Mayor Holliday asked if anyone present wished to speak to this matter.

The following speakers spoke in favor of the proposed ordinance:

Mark Isaacson, attorney with offices located at 101 West Friendly Avenue, stated he represented the property owners, presented information on the planned infill development to Council which he reviewed in detail, displayed a map of the subject property and site plan, and stated Council had been provided with the full set of proposed conditions. He briefly explained the differences in processes for planned infill development and standard rezoning cases.

Mr. Hails noted that in the case of planned infill development, if a developer wished to make changes that increased density or moved buildings closer to property lines, the process would have to begin again with the Zoning Commission.

Mr. Isaacson presented illustrative information pertaining to development plans, letters of support from neighborhood residents, various photographs to illustrate the subject property and neighborhood features, and outlined the basis for his personal opinions with respect to the proposed development serving the highest and best use in this neighborhood.

Jill Dull, residing at 105 Kimberly Drive, stated her back yard was adjacent to the back yard of the subject property and that she supported the proposed rezoning; she offered opinions with respect to how this proposal would aesthetically enhance the neighborhood.

Chris Dull, residing at 105 Kimberly Drive, spoke to his professional experience as an architect working on a similar project. He stated that the stringent requirements of the proposed zoning classification would, in his opinion, benefit the neighborhood.

The Mayor asked if anyone present wished to speak in opposition to the proposed rezoning.

The following speakers spoke in opposition to the request:

John R. Williams, residing at 502 Elmwood Drive, presented photographs and information with respect to topography, landscape, and infrastructure features of the property. During lengthy comments, he presented a topographic map, expressed concern with respect to the grade of land at the proposed site, and requested Council to deny the rezoning request.

Councilmember Phillips shared his opinion with respect to discrepancies in topographic data reported by Mr. Williams during his presentation of photographs.

The following speaker spoke in rebuttal in favor of the proposed rezoning:

Mr. Isaacson emphasized the impact of conditions attached to the rezoning request and City requirements that would, in his opinion, assure the success of the proposed development.

The following speakers spoke in rebuttal in opposition to the proposed rezoning:

David Donald, residing at 6 Grey Oaks Circle, spoke to his history of property ownership and development on Grey Oaks Circle. He stated he did not support the proposed rezoning because he believed it was not compatible with single family zoning in the area and requested that Council restrict the proposed development to three single-family lots.

Mary Eubanks, residing at 109 Elmwood Terrace, stated she was not among the property owners notified of this public hearing and had just learned of this proposed rezoning. She stated she had not had a sufficient opportunity to learn about aspects of the proposal including traffic, wetlands, etc.

Councilmember Carmany moved that the public hearing be closed. The motion was seconded by Councilmember Wells and unanimously adopted by voice vote of Council.

Mayor Holliday declared a recess at 9:54 p.m.

Council reconvened at 10:06 p.m. with all members present except Councilmember Gatten, excused earlier in the meeting.

Mr. Hails spoke to various aspects of the attached housing as submitted in the applicant's plan. He stated staff found the request overall reasonable and recommended approval of the proposed rezoning.

Councilmember Phillips expressed his support for planned development infill in this area because of its stringent standards and potentially beneficial effects.

Dan Reynolds, Code Enforcement Manager with the Engineering and Inspections Department, stated that storm water concerns had been addressed in the plan approval process.

Councilmember Barber moved adoption of the ordinance. The motion was seconded by Councilmember Wells; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

06-51 AMENDING OFFICIAL ZONING MAP

NORTH SIDE OF WEST CORNWALLIS DRIVE BETWEEN ELMWOOD DRIVE AND WRENN STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-12 Residential Single Family to Conditional District – Planned Unit Development - Infill (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the northern right-of-way line of West Cornwallis Drive, said point being the southeast corner of Stroud as recorded in Deed Book 2560, Page 479 in the Office of the Guilford County Register of Deeds; thence along Stroud's eastern line N02°02'29"E 229.98 feet to a point; thence N02°08'41"E 235.32 feet to a point; thence S87°55'15"E 200.13 feet to a point; thence S87°43'13"E 99.98 feet to a point; thence S02°07'00"W 200.13 feet to a point; thence N87°53'37"W 99.94 feet to a point; thence S02°06'23"W 234.62 feet to a point in the northern right-of-way line of West Cornwallis Drive; thence crossing West Cornwallis Drive S02°06'23"W 80 feet to a point in the southern right-of-way line; thence along said southern right-of-way line

N88°08'18"W 99.91 feet to a point; thence N88°02'41"W 100.12 feet to a point; thence crossing West Cornwallis Drive N02°02'29"E 80 feet to the point and place of BEGINNING, as shown on "Granville Oaks Ct. Zoning Sketch Plan" prepared by Borum, Wade and Associates, P.A. and dated December 15, 2005 with revisions dated January 3 and January 4, 2006.

Section 2. That the rezoning of RS-12 Residential Single Family to Conditional District – Planned Unit Development - Infill is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Maximum of 8 attached single family homes designed for sale.
- 2) The buildings shall be substantially brick construction.
- 3) Building height measured from the bottom of the first floor shall not exceed 34 ft. and shall be no more than 2-stories.
- 4) All units will have 2-car garages minimum.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of adoption.

(Signed) Michael Barber

.....

Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30, Zoning, Planning and Development, to add a new subsection 30-5-4.8 (C)(%) to permit relocation of canopy trees to the right-of-way from the required street planting yard for minor additions to existing development of less than 3,000 square feet if certain requirements and conditions are met and if approved by the City Arborist or Enforcement Officer.

Mr. Hails stated this amendment provided the option to move some landscaping into the City right-of-way and noted that the option applied only to existing development with limited size expansions.

The Mayor asked if anyone present wished to speak to this matter.

George Sipsis, residing at 614 Seven Oaks Drive, expressed his strong support for the proposed amendment and outlined the impact of the requirement to plant two trees in space currently used for tenant parking on his property. He presented to Council a petition purportedly signed by tenants who opposed the removal of the parking spaces, provided a brief history of his involvement with City staff and his building contractor for his business expansion, and stated that he had been advised by his contractor not to plant the trees after the City had approved the expansion. He requested Council to allow him to plant two trees in the 14 foot right-of-way in front of his building to save two tenant parking spaces.

Councilmember Barber noted that, in his opinion, the tree planting objective of the current ordinance could be served through the proposed ordinance amendment without destroying two existing parking spaces and that the ordinance would be friendly to small businesses. He stated staff had acknowledged that the existing ordinance was flawed and encouraged Council to routinely consider business friendly ordinance amendments to address citizens needs and concerns.

After additional discussion, Mr. Hails stated that a Board of Adjustment hearing to consider this matter had been continued last month in lieu of the proposed modification of this zoning ordinance.

The City Attorney advised that the Board of Adjustment could not eliminate the requirements of the ordinance and that Council had the authority to modify the requirements of the ordinance.

The Mayor asked if anyone present wished to speak in opposition to the proposed ordinance.

William Shand, residing at 1115 West McGee Street, stated he opposed adoption of the proposed amendment at this time. He requested Council to delay voting on the proposal at this time to allow property owners to voice concerns and to review requirements for trees on property.

Mr. Hails advised that the proposed ordinance amendment had been prepared by staff at the request of a Councilmember. He stated that in some cases it could be appropriate to put trees in the right-of-way, but noted that potential for interference with infrastructure located in the right of way existed. Mr. Hails stated that staff did not have a recommendation to present at this time.

During lengthy discussion, Council expressed mixed opinions with respect to the pros and cons of changing zoning text amendments as a direct response to citizen concerns. Councilmember Phillips stated he was sympathetic to the issues faced by a citizen, suggested that in cases where expansions were not visible from the street the requirement might be eliminated, and expressed concern about the potential impact of changing the development ordinance without an opportunity to review the broad implications of proposed changes.

Councilmember Carmany emphasized her opinion that changes should not be made to the ordinance to address errors made by citizens with regard to following established laws because this could encourage abuses.

During additional discussion, Councilmember Groat spoke to the value of small businesses in the City and the need for Council to help them thrive. She stated that the proposed ordinance amendment could accomplish this goal. Councilmember Johnson stated she supported the proposed amendment. After Councilmember Wells expressed reservations with respect to the potential impact of changing rules, Council debated the pros and cons of flexibility in taking action to modify the development ordinance.

Councilmember Phillips moved that the ordinance be tabled. The motion was seconded by Councilmember Carmany. The Mayor announced that the motion was DEFEATED on a vote of 6-2.

The City Attorney stated that the Board of Adjustments' ordinance currently stated that trees were not allowed in the right-of-way and advised that Mr. Sipsis minimum parking requirements could be met under the existing ordinance requirements.

Councilmember Barber stated that trees existed in the right-of-way throughout the community and that he supported eliminating the requirement for tree planting in cases of expansion not visible from the street as discussed earlier. He requested consideration of adopting changes to the ordinance in tiers to eliminate difficulties for businesses and expressed support for the response to Councilmember Phillips statement that the tree planting requirement might be considered for elimination in cases of business expansions that were not visible from the street.

During debate, Councilmember Phillips stated he felt that these issues should be considered from a larger perspective. Councilmember Wells questioned how many other business owners had come to Council with this problems and stated that the business owner in this case knew the rule, but did not follow it. Councilmember Carmany shared her opinion that standards for development had been set and should be studied before changes were made.

After the Mayor noted the builder failed to follow the site plan, he asked the City Attorney if Council had the ability to waive landscaping requirements. The City Attorney stated that specific standards would be necessary to provide waivers for all cases that met standards and noted that such standards would be very difficult to determine and would result in Council receiving an inundation of requests for waivers. She advised that no fine had been levied pending the appeal to this case with the Board of Adjustments, and that Council did have the option of adopting a moratorium to apply to all cases upon notice.

Councilmember Barber moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was **DEFEATED** on the following roll call vote: Ayes: Barber, Bellamy-Small, Groat, and Johnson. Noes: Carmany, Holliday, Phillips, and Wells.

The City Attorney confirmed that the ordinance could be reintroduced by the prevailing side pending re-advertisement of a public hearing.

After Councilmember Phillips questioned this method of conducting business, Assistant City Manager Robert “Bob” Morgan explained that staff had understood that the consideration of this ordinance revision was a Council directive in the preceding regular meeting.

(A copy of the ordinance as introduced and **DEFEATED** is filed in Exhibit Drawer P, Exhibit #21, and is hereby referred to and made a part of the minutes.)

.....

Moving to the Consent Agenda, Councilmember Carmany moved adoption of the ordinances, resolutions and motions listed on the Consent Agenda. The motion was seconded by Councilmember Bellamy-Small; the Consent Agenda was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Groat, Holliday, Johnson, Phillips, and Wells. Noes: None.

06-52 ORDINANCE AMENDING THE STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE REPLACEMENT OF THE BILLY “CRASH” CRADDOCK BRIDGE REPLACEMENT PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal, and other Grants Fund be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
220-6051-01.6019 CBR # 01021	Other Improvements	936,472
220-6051-01.6015	Sidewalk Construction	<u>47,950</u>
Total		984,422

And, that this increase be financed by increasing the following State, Federal, and Other Grants Fund Accounts:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
220-6051-01.7100	Federal Grant	787,538
220-6051-01.9402	Transfer From State Highway Capital Project Fund	<u>196,884</u>
Total		984,422

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sandy Carmany

.....



46-06 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2004-003 WITH SMITH-ROWE, INC. FOR THE BILLY "CRASH" CRADDOCK BRIDGE REPLACEMENT AT 16<sup>TH</sup> STREET

WHEREAS, after due notice, bids have been received for the rehabilitation and replacement of the Billy "Crash" Craddock Railroad Bridge on Sixteenth Street;

WHEREAS, Smith-Rowe, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$2,981,681.15 as general contractor for Contract No. 2004-003, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Smith-Rowe, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$2,933,731.15 from Account No. 220-6051-01.6019 Activity #01021, and in the amount of \$47,950.00 from Account No. 220-6051-01.6015.

(Signed) Sandy Carmany

(A tabulation of bids is filed with the above resolution and is hereby referred to and made a part of the minutes.)

.....

47-06 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY OF KOURY CORPORATION FOR THE PISGAH CHURCH ROAD SIDEWALK IMPROVEMENT PROJECT

WHEREAS, in connection with the Pisgah Church Road sidewalk improvement project, the property owned by Koury Corporation, Tax Map Nos. 311-8-1, 2 and 3 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$16,941.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$16,941.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 402-4531-01.6012 Activity #03216.

(Signed) Sandy Carmany

.....

48-06 RESOLUTION AUTHORIZING AND APPROVING SALE OF PROPERTY LOCATED AT 1807 MARTIN LUTHER KING, JR. DRIVE TO ALICE FAYE HOLLEY

WHEREAS, the City of Greensboro owns residual property located at 1807 Martin Luther King, Jr. Drive at Tax Map Number 74-6-4, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, the property appraised at a value of \$15,000.00 and Alice Faye Holley has offered to purchase said property for the amount of \$15,500.00, which amount, in the opinion of the City Council is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$15,500.00 is hereby approved and the sale of land to Alice Faye Holley is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Sandy Carmany

.....

49-06 RESOLUTION AMENDING RESOLUTION AUTHORIZING THE INSTALLATION OF WATER AND SEWER LINES IN THE FOREST OAKS ESTATES SUBDIVISION UNDER AGREEMENT BETWEEN THE CITY OF GREENSBORO AND GUILFORD COUNTY ADOPTED BY CITY COUNCIL ON FEBRUARY 21, 2006

WHEREAS, on February 21, 2006, the City Council adopted Resolution 36-06 authorizing installation of water and sewer lines in the Forest Oaks Estates Subdivision under Agreement between the City of Greensboro

and Guilford County;

WHEREAS, assessments for approximately \$466,063.80 will be levied by the County and the portion of Resolution 36-06 requesting amendment should read as follows:

“That the Construction of the above mentioned water and sewer lines in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided ~~that there shall be no assessments levied~~ **assessments in the amount of approximately \$466,063.80 shall be levied by Guilford County.**”

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the portion of Resolution 36-06 adopted on February 21, 2006, referenced above regarding assessments to be levied is hereby amended.

(Signed) Sandy Carmany

.....

06-53 ORDINANCE AMENDING THE COUNTY CONSTRUCTION PROJECTS FUND BUDGET FOR THE FOREST OAKS ESTATES WATER AND SEWER IMPROVEMENTS PROJECT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF GREENSBORO:

That the County Construction Projects Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the County Construction Projects Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
504-7041-01.5413	Consultant Services	\$ 141,930
504-7041-01.6016	Water Lines	\$ 619,774
504-7041-01.6017	Sewer Lines	<u>\$ 657,590</u>
Total		\$1,419,294

And that this increase be financed by increasing the following County Construction Projects Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
504-7041-01.8040	Contracted Services-Guilford County	<u>\$1,419,294</u>
Total		\$1,419,294

Section 2

And, that this ordinance should become effective upon adoption.

Signed (Sandy Carmany)

.....

06-54 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE  
APPROPRIATION OF THE WAL-MART POLICE NEIGHBORHOOD RESOURCE CENTER  
YOUTH ACTIVITIES GRANT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3511-01.5949	Miscellaneous	<u>\$1,000</u>
TOTAL:		\$1,000

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3511-01.8620	Donations and Private Contributions	<u>\$1,000</u>
TOTAL:		\$1,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sandy Carmany

.....

50-06 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2006-006 WITH HEITKAMP, INC. FOR THE SUNSET HILLS-MARKET/ FRIENDLY AREA WATER REHABILITATION PROJECT

WHEREAS, after due notice, bids have been received for the Sunset Hills-Market/Friendly area water rehabilitation project;

WHEREAS, Heitkamp, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$577,755.50 as general contractor for Contract No. 2006-006, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Heitkamp, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$577,755.50 from Account No. 503-7015-01.6016 Activity #06077.

(Signed) Sandy Carmany

(A tabulation of bids is filed with the above resolution and is hereby referred to and made a part of the minutes.)

.....

06-55 ORDINANCE AMENDING REDEVELOPMENT BOND FUND CAPITAL PROJECT BUDGET FOR THE SOUTHSIDE REDEVELOPMENT AREA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO

That the Redevelopment Bond Fund Budget is hereby amended as follows:

That the appropriation for the Redevelopment Bond Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
434-2090-02.5285	Property Disposition	\$296,872
434-2090-02.6301	Transfer Out	<u>16,743</u>
		<u>\$313,615</u>

And, that this increase be financed by increasing the following revenue accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
434-2090-02.7420	Mortgage Collections – Interest	\$238,729
434-2090-02.7421	Mortgage Collections – Interest	9,328
434-2090-02.7801	Rent - Real Estate	9,900

434-2090-02.8690	Other Revenue	23,443
434-2090-02.9448	Transfer In	<u>32,215</u>
	Total	<u>\$313,615</u>

And that the appropriation for the Housing and Neighborhood Renewal Bond Fund be increased (decreased) as follows:

448-2201-02.5288	Property Acquisition	\$(32,215)
448-2201-02.6434	Transfer Out	32,215

And that the appropriation for the Debt Service Fund be increased as follows to pay debt service:

301-1001-01.9434	Transfer In	\$16,743
301-1001-01.5821	Interest Payments	16,743

(Signed) Sandy Carmany

.....

51-06 RESOLUTION AUTHORIZING CULVERT PARTICIPATION AGREEMENT BETWEEN REEDY FORK EAST, LLC AND THE CITY OF GREENSBORO FOR THE VILLAGES AT REEDY FORK

WHEREAS, on July 31, 1975, the City Council adopted the Culvert Participation Policy;

WHEREAS, under this policy developers may enter into agreement with the City whereby the City agrees to cover a portion of the construction costs for concrete box culverts required for development projects;

WHEREAS, Reedy Fork East, LLC. is developing property at The Villages at Reedy Fork which qualifies for City participation under the 1975 Culvert Participation Policy and would like to enter into a Municipal Construction Contract Culvert and Bridge Participation Agreement presented herewith this day;

WHEREAS, the City's cost for this Agreement will not exceed \$386,925.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project is hereby formally approved by the City Council of the City of Greensboro and that the City Council authorizes the City Manager to sign and execute the agreement with the Reedy Fork East, LLC., at a cost not to exceed \$386,925.00, payment of said amount to be made from Account No. 402-4531-01.6019 CBR 06129.

(Signed) Sandy Carmany

.....

52-06 RESOLUTION APPROVING GRANT TO HOUSING GREENSBORO FOR ACQUISITION, REHABILITATION AND RESALE OF PROPERTIES IN THE EASTSIDE PARK NEIGHBORHOOD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT CONTRACT DOCUMENTS

WHEREAS, the Housing Greensboro grant of \$110,000 in federal HOME program funding was approved as part of the 2005-06 City budget and HCD Annual Plan;

WHEREAS, Housing Greensboro is a City approved Community Housing Development Organization (CHDO) and will carry out the project using HOME CHDO set aside funds to acquire, rehabilitate and resell properties in the Eastside Park neighborhood for low income homeownership;

WHEREAS, it is in the best interest of the City to execute the grant contract documents so that the dilapidated properties may be brought up to City standards and resold for low income homeownership.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the grant to Housing Greensboro for acquisition, rehabilitation and resale of properties in the Eastside Park neighborhood is hereby approved and the City Manager is hereby authorized to execute said grant contract documents.

(Signed) Sandy Carmany

.....

53-06 RESOLUTION AUTHORIZING AN INCREASE IN THE EVERITT SQUARE EASEMENT TO BELLSOUTH AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTATION

WHEREAS, in 1994, the City funded an acquisition and rehabilitation loan for the Everitt Square Apartments, owned by Affordable Housing Management, Inc.;

WHEREAS, the loan agreement requires City approval of changes that may impact the collateral property;

WHEREAS, Bellsouth has requested an option for the acquisition of additional property for replacing the Bellsouth Service Box located at 2013 Everitt Square in order to increase the size of their easement in that area and has offered to pay \$5,000 for said parcel;

WHEREAS, Affordable Housing Management, Inc. is requesting the City's authorization of the option for acquisition of property in order to increase Bellsouth's service box easement located at 2103 Everitt Square by Bellsouth and authorization for the City Manager to execute the necessary documentation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. Affordable Housing Management, Inc. is hereby authorized to sell property to Bellsouth for an increase in the easement area for their service box located at 2103 Everitt Square.
2. The City Manager is hereby authorized to execute the necessary documentation for said transaction.

(Signed) Sandy Carmany

.....

54-06 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 4, 2006 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED NORTH OF HINES CHAPEL ROAD – 21.267 ACRES

WHEREAS, the owners of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 21st day of March, 2006, the following ordinance was introduced:

**AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED NORTH OF HINES CHAPEL ROAD – 21.267 ACRES)**

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pin at the northeast corner of Lot 1, Section 1, Dick Subdivision as recorded in Plat Book 97, Page 123 in the Office of the Register of Deeds of Guilford County, NC, said iron having NAD 83 grid coordinates as follows: N = 866,263.56 E = 1,786,282.20 (US Survey Ft.); thence with the east line of Lot 1, Section 2, Dick Subdivision as recorded in Plat Book 102, Page 66 in the Office of the Register of Deeds N 06°26'37" E 108.21 feet to an existing iron pin; thence with the east line of said lot and the east line of Lot 3 of said Section 1 N 06°26'37" E 819.73 feet to an existing iron pin, a point in the existing Greensboro satellite city limits; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS along the boundary of Manchester, Phase 2 as recorded in Plat Book 162, Page 100 in the Office of the Register of Deeds the following five calls: N 05°49'10" E 54.60 feet to an existing iron pin, N 05°11'21" E 68.43 feet to an existing iron pin, N 04°12'16" E 99.45 feet to an existing iron pin, N 89°33'07" E 242.51 feet to an existing iron pin, and N 89°33'07" E 400.89 feet to an existing iron pin; THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS with the west line of Lot 2, James V. and Myrtle F. Brady property as recorded in Plat Book 41, Page 42 in the Office of the Register of Deeds S 04°07'11" E 967.53 feet to an existing iron pin; thence with the west line of Lot 10, Barker Estate as recorded in Plat Book 16, Page 30 in the Office of the Register of Deeds S 04°07'11" E 219.72 feet to a point; thence with a new line the following four calls: S 85°52'49" W 510.55 feet to a point, S 50°08'11" W 136.87 feet to a point, N 89°53'48" W 107.54 feet to a point, and N 64°21'54" W 155.84 feet to a point in the east line of Lot 1, Section 2, Dick Subdivision; thence with said east line N 06°29'34" E 92.81 feet to the point and place of BEGINNING and containing 21.267 acres more or less.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June, 30 2006, the liability for municipal taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 4<sup>th</sup>, 2006 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin

Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 25<sup>th</sup>, 2006.

(Signed) Sandy Carmany

.....

55-06 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 4, 2006 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON STONE VILLAGE ROAD – 9.626 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 21st day of March, 2006, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON STONE VILLAGE ROAD – 9.626 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

Beginning at a point in the existing Greensboro satellite city limits, said point being on the east right-of-way line of Stone Village Road at the southwestern end of line "L111" on City of Greensboro Annexation Drawing D-2333; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 56° 30' 17" E 69.55 feet to a point; thence S 70° 43' 03" E 152.46 feet to a point; thence S 49° 47' 21" E 258.43 feet to a point; thence S 40° 05' 19" E 186.45 feet to a point; thence S 55° 03' 28" E 259.40 feet to a point; thence S 34° 55' 45" E 309.88 feet to a point; thence S 59° 12' 11" W 167.98 feet to a point; thence S 41° 11' 45" W 155.84 feet to a point; thence S 15° 37' 26" E 135.80 feet to a point; thence S 61° 19' 48" W 173.16 feet to a point in the east right-of-way line of Stone Village Road; thence along said right-of-way line N 28° 39' 09" W 353.81 feet to a point; thence continuing with said right-of-way line with a curve to the right having a radius of 472.00 feet and a chord bearing and distance of N 26° 30' 08" W 35.42 feet to a point; thence continuing with said right-of-way line N 24° 21' 08" W 877.11 feet to the Point and Place of Beginning, containing 9.626 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2006, the liability for municipal taxes for the 2006-2007 fiscal year



shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, April 4, 2006, at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than March 25<sup>th</sup>, 2006.

(Signed) Sandy Carmany

.....

A motion to make a part of the minutes report of budget adjustments for February 1-28, 2006 was unanimously adopted. (A copy of the report is filed in Exhibit Drawer P, Exhibit #1 and is hereby referred to and made a part of the minutes.)

.....

Motion to make a part of the minutes the list of contracts and going out of business permits which meet the legal requirements for destruction was unanimously adopted. (A copy of the list is filed in Exhibit Drawer P, Exhibit # 21, and is hereby referred to and made a part of the minutes.)

.....

Motion to approve minutes of regular meeting of March 7, 2006 was unanimously adopted.

.....

Mayor Holliday introduced an ordinance amending in the amount of \$1,398,255 the White Street Landfill Clean Air Act Fund Budget. The City Manager provided a brief explanation about the ordinance.

Councilmember Bellamy-Small moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

06-56 ORDINANCE AMENDING THE WHITE STREET LANDFILL CLEAN AIR ACT FUND BUDGET

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the White Street Landfill Clean Air Act Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Solid Waste Management Capital Reserve Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
552-6509-01.6554	Transfer to SWM Capital Project Fund	<u>\$1,398,225</u>
TOTAL		\$1,398,225

And that this increase be financed by increasing the following Solid Waste Management Capital Reserve Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
552-0000-00.8900	Appropriated Fund Balance	<u>\$1,398,225</u>
TOTAL		\$1,398,225

## Section 2

That the White Street Landfill Clean Air Act Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the White Street Landfill Clean Air Act Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
554-6509-05.6019	White St Lndfl Clean Air Act	<u>\$1,398,225</u>
TOTAL		\$1,398,225

And that this increase be financed by increasing the following White Street Landfill Clean Air Act Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
554-6509-05.9552	Transfer from SWM Capital Reserve Fund	<u>\$1,398,225</u>
TOTAL		\$1,398,225

## Section 3

And, that this ordinance should become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

.....

The Mayor introduced an ordinance amending Chapter 26 of the Greensboro Code of Ordinances with respect to streets and sidewalks to prohibit the parking of vehicles, motor vehicles, boats and trailers on the streets or sidewalks for the purpose of sale.

Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Wells; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Groat, Holliday, Johnson, Phillips, and Wells. Noes: None.

## 06-57 AMENDING CHAPTER 26

AN ORDINANCE AMENDING CHAPTER 26 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO STREETS AND SIDEWALKS TO PROHIBIT THE PARKING OF VEHICLES, MOTOR VEHICLES, BOATS AND TRAILERS ON THE STREETS OR SIDEWALKS FOR THE PURPOSE OF SALE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 26-230 (a) of the Greensboro Code of Ordinances is hereby amended to read as follows:

“(a) It shall be unlawful to display, store, sell or offer for sale any goods, wares, merchandise or any other tangible items on any street or sidewalk within the city. Sidewalks shall mean any portion of property maintained by the city for pedestrian traffic. **“It shall also be unlawful to park any vehicle, motor vehicle, boat, or trailer on any city street or sidewalk for the purpose of displaying or offering such vehicle for sale in a residentially zoned area except that a person may park his or her own vehicle for sale in front of his, or her own property.”**

Section 2. That all laws and clauses of laws in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. That this Ordinance shall become effective upon adoption.

(Signed) Yvonne Johnson

.....

The City Manager stated an addendum to the agenda had been prepared for Council's consideration. Mayor Holliday introduced an ordinance amending the 05-06 Nussbaum Housing Partnership Budget for GHA for Housing Vouchers for Gulf Coast Evacuees.

06-58 ORDINANCE AMENDING THE 05-06 NUSSBAUM HOUSING PARTNERSHIP BUDGET FOR GHA FOR HOUSING VOUCHERS FOR GULF COAST EVACUEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO

That the 05-06 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Nussbaum Housing Partnership Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
211-2216-01.5931	Rental Voucher Program	\$75,000

and, that this increase be financed by increasing the following Nussbaum Housing Partnership fund account.

<u>Account</u>	<u>Description</u>	<u>Amount</u>
211-0000-00.8900	Appropriated Fund Balance	\$75,000

(Signed) T. Dianne Bellamy Small

.....

The Mayor stated that in accordance with Council's policy, to adjourn the meeting upon completion of business listed on the agenda when business is not completed prior to 11:00 p.m., the meeting would conclude.

After The City Manager requested Council adjourn to Closed Session, Councilmember Carmany moved that Council adjourn to Closed Session to discuss a claim and personnel issue. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

The City Council adjourned to Closed Session at 11:03 p.m.

Keith A. Holliday  
Mayor

Susan E. Crotts  
Deputy City Clerk

\*\*\*\*\*